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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,474	03/22/2004	Sukendeep Samra	020699-004620US	3062

37490 7590 10/20/2006

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EXAMINER

COULTER, KENNETH R

ART UNIT PAPER NUMBER

2141

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/807,474

Applicant(s)

SAMRA ET AL.

Examiner

Kenneth R. Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 14-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/19/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 recites the limitation "the action" in line 1. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 3, 6 – 8, and 14 – 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuzawa et al (U.S. Pat. No. 6,085,185) (Retrieval Method and System of Multimedia Database).

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4.1 Regarding claim 1, Matsuzawa discloses a method for annotating an item in a user interface of a media production system, the method comprising:

accepting signals from a user input device to select a frame in a plurality of frames of a production being processed by the media production system (Abstract “When a user puts an annotation to a **specific range of a medium**”; col. 2, lines 28 – 31 “A user often desires to give comment information (hereinafter referred to as an annotation) ...” for a **specific range of video and audio data.**”; col. 6, lines 11 – 24 “specific range”);

creating annotation information and an annotation marker (Figs. 1, 7; Abstract; col. 2, lines 28 – 37; col. 7, lines 58 - 64); and

storing the annotation information in association with the selected frame of the production, wherein the annotation marker is displayed with the frame when the frame is displayed during playback of the plurality of frames in the production, the annotation marker showing a visual relationship of the annotation information’s relevance to the frame (Figs. 1, 4, 5, 17; Abstract; “When a user puts an annotation to a specific range of a medium, the system registers an annotation object comprising the object ID of the target medium, specific range, and annotation information in a table ... “; col. 4, lines 15 – 31).

4.2 Per claim 2, Matsuzawa teaches the method of claim 1, further comprising accepting signals from a user input device to create the annotation information (Fig. 1, items 30, 40; Abstract “**user puts an annotation to a specific range of a medium**”; col.

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2, lines 28 – 37 “user often desires to give comment information (hereinafter referred to as an annotation) ...”; col. 7, lines 58 – 64 “In the annotation setting process, the screen for inputting the annotation information is displayed on the display device 40 ...”).

4.3 Regarding claim 3, Matsuzawa discloses the method of claim 2, wherein the annotation information includes text information (Fig. 4; col. 2, lines 54 – 64 “text”; col. 6, lines 31 – 38 “**text** is used as an annotation”).

4.4 Per claim 6, Matsuzawa teaches the method of claim 1, wherein the annotation information is automatically generated by a process executing on a digital system (col. 6, lines 39 – 44 “the annotation object 710 is **automatically generated** for all destination/source objects in the citation relation to the range.”; col. 13, lines 9 – 16; col. 16, lines 63 – 67 “an annotation object is **automatically generated** for a specific range in the link relation to all media objects including the media object thereof, labor saving for the registration work of annotation objects is realized.”).

4.5 Regarding claim 7, Matsuzawa discloses the method of claim 6, further comprising wherein the annotation information is *automatically generated at a predetermined time* (col. 13, lines 9 – 16 “when a user uses a part of a media object as a component of another media object in the editing work and when an annotation object is already defined for the portion of the citation source object (source object), **automatically generating an annotation** object for the citation destination object

(destination object) **at the same time** by diverting the annotation object.”)

4.6 Per claim 8, Matsuzawa teaches the method of claim 6, further comprising wherein the annotation information is automatically generated *upon the occurrence of a predetermined event* (col. 13, lines 9 – 16 “**when a user uses a part of a media object as a component of another media object** in the editing work and **when an annotation object is already defined** for the portion of the citation source object (source object), **automatically generating an annotation** object for the citation destination object (destination object) at the same time by diverting the annotation object.”)

4.7 Regarding claims 14 – 22, the rejection of claims 1 – 3 and 6 – 8 (paragraphs 4.1 – 4.6 above) applies.

In addition, Matsuzawa teaches the annotation marker is stored as part of the frame in the production (Figs. 1 – 6; col. 4, lines 30 – 31); the annotation marker is displayed in the frame being displayed (Figs. 2 – 6, 17); the annotation marker indicates one or more additional frames that are relevant to the annotation information (Abstract; Figs. 2 – 6, 17); the annotation marker is associated with an action that is performed when the annotation marker is selected (Abstract; Figs. 5, 17), wherein the action comprises displaying the annotation information (Abstract; Figs. 2 – 6, 17).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzawa as applied to claims 1 and 2 above, and further in view of Dahlin et al. (U.S. Pat. Pub. No. 2004/0078215) (Systems and Methods for Documenting medical Findings of a Physical Examination).

6.1 Per claim 4, Dahlin teaches the method of claim 2, wherein the information includes capture of drawing information (Abstract "recording a graphical annotation"; paragraph 17 "free-form input of text and graphics"; paragraph 95 "free-form graphic annotations"; paragraph 100 "depending on the type of annotation (free text, voice, **drawing**, and additional selected options) that the annotation contains"; paragraph 106 "free-hand drawing").

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the drawing information of Dahlin into Matsuzawa because drawing information is a commonplace type of "freeform" information that is sometime necessary to accurately annotate, as seen in Dahlin.

6.2 Regarding claim 5, Dahlin discloses the method of claim 2, wherein the information includes audio information (Abstract “recording a sound annotation”; paragraph 91 “audio recording”; paragraph 100 “depending on the type of annotation (free text, **voice**, drawing, and additional selected options) that the annotation contains”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the audio information of Dahlin into Matsuzawa because audio information is a commonplace type of “freeform” information that is sometime necessary to accurately annotate, as seen in Dahlin.

### ***Response to Arguments***

7. Applicant's arguments filed 7/19/06 have been fully considered but they are not persuasive.

Applicant argues that “nowhere in Matsuzawa is it disclosed or suggested that an annotation marker shows a visual relationship of the annotation information’s relevance to a frame.”

Examiner disagrees.

The thumbnail image annotation (Figs. 5 and 17 of Matsuzawa) meets this limitation given the definition of “annotation marker” (Abstract of present Application “The annotation marker can use shape, color or animation to convey source, urgency, status or other information”).



In addition, the "ANNOTATION INFORMATION" (Fig. 4 of Matsuzawa) meets this limitation.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KENNETH R. COULTER

PRIMARY EXAMINER



krc